

CITY OF ALAMO HEIGHTS
CITY COUNCIL
October 25, 2010

A regular meeting of the City Council of the City of Alamo Heights, Texas was held at the Council Chambers, 6120 Broadway, at 5:30 p.m. on Monday, October 25, 2010.

Present and composing a quorum were:

Mayor Louis Cooper
Mayor Pro-Tempore Stan McCormick
Councilmember Bobby Rosenthal
Councilmember Elliot Weser
Councilmember John Savage

Also attending were:

City Manager Ann Benson McGlone
City Attorney Mike Brenan
Assistant City Manager/Public Works Director Shawn P. Eddy
Communications/IT Manager Marian Ramirez
Finance Director Cynthia Barr
Community Development Director Brian Chandler
Human Resource Manager Judith E. Surratt
City Secretary Jennifer Reyna
Fire Chief Buddy Kuhn
Police Chief Rick Pruitt

Absent was:

Councilmember Fred Prassel

* * *

Mayor Louis Cooper called the meeting to order at 5:35 p.m.

* * *

Councilman Rosenthal recognized the presence of Boy Scouts of America, Troop #809, Flying Eagles Patrol in the audience. He explained they were present to observe the Council meeting as a requirement for their Citizenship in the Community merit badge.

Mayor Cooper announced that Item # 6 is postponed until the November 8, 2010 City Council Meeting.

* * *

Mayor Cooper asked City Council for any revisions to the minutes of the October 11, 2010, City Council Meeting. A motion was made by Mayor Pro Tem Stan McCormick to

approve the minutes of October 11, 2010 as amended. The motion was seconded by Councilmember Bobby Rosenthal and passed by unanimous vote.

*

*

*

Item # 2 City Manager's Report

a. Announcement of City Council Meetings to be held in November and December 2010

City Manager Ann McGlone reminded Council the remaining meetings of the year are November 8th and December 13th, 2010.

b. Items for Referral or Discussion

1. Neighborhood Character and Commercial Revitalization (NCCR) Potential meeting with the Friends of Hondondo Creek

Ms. McGlone informed Council that the Friends of Hondondo Creek requested to meet with the NCCR Committee. Council responded a meeting should be scheduled as requested.

2. Residential Design Standards

Ms. McGlone informed Council that UTSA Architectural graduate students who have expressed interest in conducting an architectural survey in Alamo Heights. Ms. McGlone noted that the information might be helpful for the proposed revision of the City's Residential Design Standards. She recommended the NCCR committee consider details. Council agreed.

Councilmember Elliot Weser expressed his support for this project and stated the City of Austin adopted revised residential design standards that contain some particularly interesting components but he stated that the City of Alamo Heights must consider residential design standards appropriate for the City.

*

*

*

Citizens To Be Heard Concerning Non-Agenda Items

Pal Wenger, resident, referenced an article on storm drainage that was featured in the *North Central News*. He has observed the infrastructure and encouraged the City to conduct routine maintenance as he is concerned about the condition of the infrastructure and recommended the drainage channel be cleaned.

John Hertz, resident, briefly spoke about the City of Austin's residential design standards and encouraged Council to consider residential design standards that are responsive to the current environment.

*

*

*

Items for Individual Consideration

Item # 4 Mayor Cooper read the following caption.

ORDINANCE NO. 1885

AN ORDINANCE ACCEPTING THE COMPETITIVE PROPOSAL OF \$988,053 FROM HOLLOMAN CORPORATION, PLUS A 10% CONTINGENCY OF \$98,805.30, FOR A TOTAL AUTHORIZATION OF \$1,086,858.30 FOR THE IMPROVEMENT OF VARIOUS WATER MAINS AND AUTHORIZING THE CITY MANAGER TO EXECUTE ALL NECESSARY DOCUMENTS WITH THE SUCCESSFUL PROPOSER FOR THE COMPLETION OF SUCH WORK

Assistant City Manager/Public Works Director Shawn P. Eddy made a PowerPoint presentation that included background and competitive sealed proposal information and a map.

Mr. Eddy identified the streets that are part of the scope of the project and explained the competitive sealed bid proposal process.

A motion for approval was made by Councilmember Bobby Rosenthal. The motion was seconded by Councilmember Elliot Weser and passed by unanimous vote.

Item # 5 Mayor Cooper read the following caption.

AN ORDINANCE APPROVING A CHANGE ORDER TO THE EXISTING CONTRACT WITH EZ BEL CONSTRUCTION FOR THE TOTAL AMOUNT OF \$101,192.91 AND THE GRANTING OF 30 ADDITIONAL CONSTRUCTION DAYS FOR THE INSTALLATION OF ACCESSIBLE SIDEWALKS AND OTHER RELATED CONCRETE FLATWORK ALONG PATTERSON AVENUE BETWEEN WESTOVER ROAD AND BROADWAY

Assistant City Manager/Public Works Director Shawn P. Eddy made a PowerPoint presentation that included background information and photos.

Mr. Eddy announced the potential sites for prospective sidewalks and stated the curb would be extended into the existing right of way in some areas to provide room for accessible sidewalks.

Mayor Pro Tem McCormick suggested that this project might be forwarded to ARB for consideration. He stated that residents appreciate the existing natural beauty of the area and

consider it part of the neighborhood character. Mayor Cooper and Councilmember Savage agreed.

Councilmember Weser asked specifically how the additional work could be added to an existing project. He also commented that many residents request placement of sidewalks on their streets.

Councilmember Rosenthal expressed concern on the project's cost and asked if there would be a change order fee. He added that this should be considered as an expansion of the existing contract.

Mr. Eddy explained to Councilmembers Weser and Rosenthal that the work could be accomplished through a change order of an existing contract based on existing unit costs. He stated that several requests were made by residents and the City's goal is to provide accessible sidewalks where they are requested by the community and determined to significantly improve pedestrian safety.

The following citizens spoke on this matter:

Margaret Houston, resident, expressed support for the proposed changes on Patterson Avenue, citing a previous traffic study and reminded Council of the hazardous situations that exist on Patterson Avenue. Ms. Houston reiterated that protection is needed for the residents.

Sarah Reveley, resident, shared her experience with the difficulty of taking a handicapped family member for a walk. She expressed her thoughts that sidewalks were not needed on both sides of Patterson Avenue.

John Joseph, resident, asked if there were competitive bids and if there is a minimum requirement amount to conduct a bidding process.

Mr. Eddy stated this existing project went through the competitive bid process and up to 25% of the total value may legally be added through change orders.

Andrew Grohe, resident, explained the necessity of having a sidewalk on both sides of a street as Patterson Avenue is a narrow street and the curb is hidden. He shared that sidewalks had been requested in 1997, but matter had never been addressed by Council.

Councilmember Rosenthal recommended that the Neighborhood Character and Commercial Revitalization (NCCR) Committee review this project and provide a report to Council. Council agreed.

Item # 6 Mayor Cooper read the following caption.

A Resolution approving a Community Garden to be established on City property located at the Southeast Corner of

**Ogden and Acacia and approving the Community Garden
Concept Plan**

This item is postponed for the November 8, 2010 Council Meeting.

Item # 7 Mayor Cooper read the following caption.

**Consideration of Architectural Review Board Case no. 366F,
submitted by Anthony C. Bradfield, owner, for the
determination of the significance of the existing main
structure, compatibility, and final review of the proposed
remodel and addition for Treehouse Shopping Center at 5300
Broadway**

Community Development Director Brian Chandler made a PowerPoint presentation that included background information, maps, photos, existing and proposed site plans and elevations.

Mr. Chandler stated one supportive comment had been received. He informed Council that the signage submitted was not approved and new signage will be resubmitted to the Architectural Review Board (ARB) for review.

Greg Shue, architect, was in attendance.

Council complimented Mr. Shue on the structural style of the shopping center.

A motion for approval was made by Councilmember Rosenthal. The motion was seconded by Councilmember Savage and passed by unanimous vote.

Item # 8 Mayor Cooper read the following caption.

**Consideration of Architectural Review Board Case No. 368F,
submitted by Dacia and Lanham Napier, owners, represented
by Tobin Smith, Architect, for determination of significance of
the existing main structure at 701 W. Castano Avenue, in order
to demolish 100% of the existing main structure**

Community Development Director Brian Chandler made a PowerPoint presentation that included background information, maps, photos, existing and proposed site plans, and elevations.

Mr. Chandler announced this project is considered for the determination of significance of the existing main structure and no replacement structure is proposed at this time. He stated any future development plans will be submitted to the ARB and City Council for compatibility review.

He informed Council that 11 supportive comments were received.

Tobin Smith, architect, was present.

A motion for approval was made by Councilmember Rosenthal. The motion was seconded by Councilmember Weser and passed by unanimous vote.

Item # 9 Mayor Cooper read the following caption.

ORDINANCE NO. 1886

**CONSIDERATION OF AN ORDINANCE AUTHORIZING
THE CITY MANAGER TO EXECUTE AGREEMENTS FOR
PROVISION OF EMPLOYEE HEALTH, DENTAL, LIFE,
VISION, AND LONG-TERM DISABILITY INSURANCE**

Assistant City Manager/Public Works Director Shawn P. Eddy made a PowerPoint presentation that included background information.

Mr. Eddy introduced Bob Farish, Senior Vice-President of Frost Insurance.

Mr. Farish explained the comprehensive competitive process and the variety of insurance options that are available to City employees, which included health, dental, life, vision and long-term disability. He compared current insurance rates and the proposed 2011 insurance rates. He further explained the cost effective savings to the City with the Health Savings Account (HSA) program.

Councilmember Savage complimented Frost Insurance Services for their outstanding work and stated the proposed insurance program offers cost savings and provides excellent benefits.

A motion for approval was made by Councilmember Savage. The motion was seconded by Councilmember Rosenthal and passed by unanimous vote.

Item # 10 Mayor Cooper read the following caption.

ORDINANCE NO. 1887

**AN ORDINANCE APPROVING AN INTERLOCAL
AGREEMENT BY AND BETWEEN THE CITY OF ALAMO
HEIGHTS, TEXAS AND GUADALUPE COUNTY, TEXAS
FOR COUNTY JAIL FUNCTIONS AND AUTHORIZING
THE CITY MANAGER TO SIGN SUCH AGREEMENT**

Police Chief Rick Pruitt made a PowerPoint presentation that included background information.

A motion for approval was made by Mayor Pro Tem McCormick. The motion was seconded by Councilmember Savage and passed by unanimous vote.

Item # 11 Mayor Cooper read the following caption.

The City Council will consider and act upon termination of the City Manager

Mayor Cooper announced this item is a continuation of an Executive Session that was held on September 27, 2010.

Margaret Houston, resident, reflected on the benefits of a Council-City Manager form of Government and expressed concern on the reputation that Alamo Heights will receive if this item is considered. She expressed her support to keep the City Manager.

Jerry Lammers, resident, expressed support to retain the City Manager. He stated Ms. McGlone has treated everyone in a professional manner and lead the City in the development of the Comprehensive Plan. Through her encouragement, his mother-in-law's house, located at 502 Corona Avenue, received a Conservation award by the Conservation Society and is the only resident structure within the City of Alamo Heights to obtain such honor.

Laura Theurer, resident, encouraged Council to hire a City Manager that had a vast experience in municipal management.

Vernon and Kathleen Friesenhahn, residents, encouraged Council to initiate an aggressive search for a new City Manager.

Suzy Bettac, resident, reminded Council that the citizens elected a Council-City Manager form of government. She stated integrity is part of Ms. McGlone's professionalism and encouraged Council to reconsider.

Hall Hammond, resident, complimented Ms. McGlone and has observed increased professionalism through her leadership. He stated the proposed dismissal of the City Manager is a shock and there is a lack of citizen input opportunity. He recommended this item be postponed.

Marcelle Rose, resident, stated Ms. McGlone always demonstrated great energy and integrity. She agreed with other comments that the staff's professionalism has increased. She requested Council to reconsider this proposed action.

Richard Rose, resident, expressed concern on the grounds for termination and requested the reasons be disclosed.

David Watkins, resident, stated he was not supportive of the idea of a City Manager; however, Ms. McGlone has demonstrated fairness to everyone and expressed his appreciation on her professionalism.

Ted Flato, resident, expressed his support in retaining Ms. McGlone as she has unique skills in management and planning. As City Manager, she is doing exactly what is expected, making hard decisions and presenting tools to make good choices. She has great integrity and professionalism.

Andrew Herdeg, resident, complimented Ms. McGlone for her great leadership and professionalism.

Jill Souther, resident, expressed shock in the consideration of this item and expressed her concern as to how Alamo Heights will be seen in the future. She emphasized that Ms. McGlone is knowledgeable, possess excellent management skills and has demonstrated great leadership. She encouraged Council to keep Ms. McGlone as City Manager.

George Geis, property owner, encouraged Council to make the best decision for the City of Alamo Heights.

Ray Romano, resident, expressed shock in the consideration of this item because Ms. McGlone has the trust of the citizens and is requesting the reason for termination.

Susan Harwell, resident, stated Ms. McGlone is a good and faithful servant who has served the community and she complimented on her professionalism. Ms. Harwell expressed concern of the process in consideration of this item. She expressed her support in maintaining the City Manager.

Sarah Reveley, resident, commented on Ms. McGlone's service to the community and beyond. She expressed support in the Council's ultimate decision.

Cappy Lawton, resident, encouraged Council to make the best decision for the community.

John Grable, resident, does not understand the grounds of termination and complimented the City Manager's leadership. He encouraged Council to inform citizens on the issue. He expressed concern that the Comprehensive Plan for the City may not move forward as Ms. McGlone has vast knowledge regarding the Plan.

Bill Kiel, resident, asked why this has surfaced in this manner. He noted Ms. McGlone's attempts to educate the Council on the facilities and her support for the City employees. Mr. Kiel stated this proposed action is a product of political activity.

Nancy Dunson, resident, stated she is a financial contributor in support of passion. She expressed the City Manager position should have been advertised to hire the best person and noted that advertisement is essential for a job position.

John Meyer, resident, encouraged Council to listen to the residents' comments.

*

*

*

Closed Session

At 7:56 p.m., Mayor Cooper adjourned the regular City Council meeting to conduct a closed meeting as authorized by Section 551.074 of the Texas Government Code to discuss personnel matters.

*

*

*

Mayor Cooper reconvened the regular meeting at 9:04 p.m. There was no action taken during the closed session. He announced that in the event of a tie, he would vote in favor of a motion for termination.

A motion for approval was made by Councilmember Weser for termination of the City Manager without cause. The motion was seconded by Councilmember Savage and passed by unanimous vote.

Mayor Cooper paraphrased an email correspondence sent by Councilmember Prassel in support of the termination of the City Manager. Mayor Cooper acknowledged that Councilmember Prassel's vote would not be valid as he was vacationing in Europe and not present for the vote.

Councilmember Savage read an email that was sent to him by Suzy Bettac in regards to this agenda item. He expressed concern on the comments he received by Ms. Bettac.


*

*

*

There being no further business, a motion was made by Mayor Pro Tem McCormick to adjourn the meeting. The motion was seconded by Councilmember Weser and passed by unanimous vote. Mayor Cooper adjourned the meeting at 9:07 p.m.


Jennifer Reyna, TRMC
City Secretary



Louis Cooper
Mayor